



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,091	11/17/2003	Simon Robert Walmsley	ZG163US	9651
24011	7590	06/29/2005	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			TRAN, DOUGLAS Q	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,091

Applicant(s)

WALMSLEY ET AL.

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) ☐ Interview Summary (PTO-913)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-17 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Application No. 10/713,081 and claims 1-15 of U.S. Application No. 10/713,075. Although the conflicting claims are not identical, they are not patentably distinct from each other because the current application and U.S. Application No. 10/713,081 and U.S. Application No. 10/713,075 claim similar subject matter, for example:

Art Unit: 2624

the limitations of Claim 1 of the current application comprises: a memory buffer for receiving compressed page data; image decoders to perform an expansion, in pipeline fashion, of the compressed page; a half-toner/compositor to composite respective strips of the decoded image planes; and a printhead interface to output the composite strip to a printhead the printhead interface including: two LinesyncGen units, a first LinesyncGen unit providing a synchronization signal for multiple print engine/controller chips and a second LinesyncGen unit adapted to pulse a paper drive stepping motor,

while claim 1 of U.S. Application No. 10/713,081 teaches a memory buffer for receiving compressed page data; image decoders for expanding the compressed page data; a half-toner/compositor to composite respective strips of the decoded image planes to produce composite strips; and a printhead interface to output the composite strip to a printhead the printhead interface including: two output limits, a first output unit providing a synchronization signal for multiple print engine/controller chips and a second output unit adapted to pulse a paper drive stepping motor, each output unit producing an external signal to enable line synchronization, a generator in each output unit producing a pulse in a number of cycles until instructed to stop, the pulse defining a start of a next line; and

claim 1 of U.S. Application No. 10/713,075 teaches image decoders to perform an expansion, in pipe line fashion, of the compressed page data.

Claims 1-17 of this application conflict with claims 1-17 of U.S. Application No. 10/713,081 and claims 1-15 of U.S. Application No. 10/713,075. 37 CFR 1.78(b) provides that when three or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good

Art Unit: 2624

and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

Claim Objections

3. Claims 4-12 and 17 objected to because of the following informalities:

As to claim 4 and 5, the limitation of “a printhead” should be changed to “the printhead”.

As to claim 12, the limitation of “ an updated drop count” is not consistent. thus, the term of “drop” from the limitation of “an updated drop count” should be corrected to “dot”;

As to claim 17, the limitation of “the buffer layers” should be changed to “the buffer layer”, and the term of “spot1” should be corrected to “spot”;

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 13 and 14 recites the limitation "the pipeline fashion expansion". There is insufficient antecedent basis for this limitation in the claims.

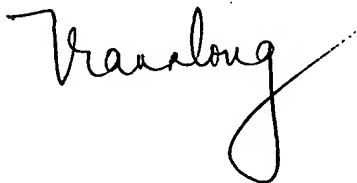
Art Unit: 2624

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (571) 272-7442 or E-mail address is douglas.tran@uspto.gov.

Douglas Q. Tran

June 21, 2005

A handwritten signature in black ink, appearing to read "Tran Douglas", with a long, sweeping horizontal stroke extending to the right.